

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KRISTENE KERSHAW, and SOPHIA  
BRISTER

Plaintiffs,

-against-

DEBT RECOVERY SOLUTIONS, LLC

Defendant.  
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NOT FOR PUBLICATION  
**MEMORANDUM & ORDER**  
15-CV-7268 (CBA) (SMG)

**AMON, United States District Judge:**

On December 21, 2015, plaintiffs Kristine Kershaw and Sophia Brister filed this action against defendant Debt Recovery Solutions, LLC. (D.E. # 1.) On April 27, 2016, plaintiffs filed a notice of settlement. (D.E. # 7.) Magistrate Judge Steven M. Gold subsequently issued an order directing the parties to file a stipulation of discontinuance by June 27, 2016. (D.E. dated April 27, 2016.) After more than three months passed following the order, Magistrate Judge Gold issued a report and recommendation ("R&R"), in which he recommended that the Court dismiss the current action with prejudice for failure to prosecute. (D.E. # 8.) Magistrate Judge Gold instructed the parties that they would have two weeks to object to the R&R. (Id.)

When deciding whether to adopt an R&R, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). To accept those portions of the R&R to which no timely objection has been made, "a district court need only satisfy itself that there is no clear error on the face of the record." Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks omitted).

No party has objected to the R&R, and the time for doing so has passed. The Court has reviewed the R&R and the record and, finding no clear error, adopts Magistrate Judge Gold's recommendation that the case be dismissed with prejudice for failure to prosecute.

SO ORDERED.

Dated: September **13**, 2016  
Brooklyn, New York

s/ Carol Bagley Amon  

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Carol Bagley Amon  
United States District Judge